# HITT GAINES, P.C.

Intellectual Property Law & Related Matters

RECEIVED
CENTRAL FAX CENTER

APR 13 2006

#### **FACSIMILE TRANSMISSION**

TO:

USPTO

Examiner: R. Stephen Dildine, Jr. - Group Art Unit: 2133

FAX NO.

571-273-8300

FROM:

J. Joel Justiss

RE:

Serial No.: 10/619,908

Attorney Docket No.: D'ARCY 15-6-7

COMMENT ON REASON FOR ALLOWANCE

UNDER 37 C.F.R. § 1.104(E)

DATE:

April 13, 2006

PAGES:

3 (including cover page)

If you do not receive the indicated number of pages, please notify the sender at the telephone number shown below. Thank you.

THE INFORMATION CONTAINED IN THIS FACSIMILE TRANSMISSION IS AN ATTORNEY-CLIENT PRIVILEGED, CONFIDENTIAL COMMUNICATION INTENDED FOR THE EXCLUSIVE USE OF THE INTENDED RECIPIENT NAMED ABOVE. IF YOU ARE NOT THE INTENDED RECIPIENT, OR ARE AN EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THIS TRANSMISSION TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS TRANSMISSION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE NOTIFY THE SENDER IMMEDIATELY AT THE TELEPHONE NUMBER SHOWN BELOW AND MAIL THE ORIGINAL TRANSMISSION TO THE ADDRESS BELOW. WE WILL REIMBURSE YOU FOR ANY REASONABLE EXPENSE YOU MAY INCUR DOING SO. THANK YOU.

**MESSAGE:** 

## BEST AVAILABLE CUTY

APR. 13. 2006 6:12PM

HITT GAINES 9724808865

NO. 4606 P. 2

RECEIVED
CENTRAL FAX CENTER

ATTORNEY DOCKET NO. D' ARCY 15-6-7

APR 13 2006

PATENT

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Paul Gerard D'Arcy, et al.

Serial No.:

10/619,908

Filed:

July 15, 2003

Title:

REDUCTION CHECKSUM GENERATOR AND A

METHOD OF CALCULATION THEREOF

Grp./A.U.:

2133

Examiner:

R. Stephen Dildine, Jr.

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:



## COMMENT ON REASON FOR ALLOWANCE UNDER 37 CFR §1.104(E)

The Applicants submit these comments in response to the Examiner's stated reasons for allowance included in the Notice of Allowance mailed January 13, 2006.

According to M.P.E.P. ¶1302.14, the statement of allowance should include at least (1) the major difference in the claims not found in the prior art of record, and (2) the reasons why that difference is considered to define patentability over the prior art if either of these reasons is not clear in the record. The Examiner states that none of the cited references teaches or fairly suggests certain limitations of Claim 1-7, 15-21 or 8-14. However, the Applicants wish to make the record clear that no one limitation of a given claim has greater patentable weight (or is more "major") than any other limitation. Instead, it is the combination of recited limitations in a given claim that make it patentable. The pending claims are no exception.

The Applicants also wish to make the record clear that a given claim is legally presumed patentable unless it fails for lack of patentable subject matter, utility, novelty, nonobviousness or sufficiency of disclosure or support. The pending claims are allowable because no basis in law exists to deny their patentability.

Respectfully submitted,

HITT GAINES, P.C.

Registration No. 48,981

Date: April 13, 2006

P.O. Box 832570 Richardson, Texas 75083 (972) 480-8800